

**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 10/17/06

AGENDA ITEM 5

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council and Redevelopment Agency Board

**FROM:** Director of Community and Economic Development

**SUBJECT:** Authorization to Execute Agreement with the State and Undertake the Route 238 Bypass Corridor Land Use Study, and Appropriate Matching Funds

**RECOMMENDATION:**

It is recommended that the City Council/Redevelopment Agency Board find the project exempt from CEQA and adopt the attached resolutions, authorizing the City Manager to execute an agreement with the State to undertake a land use study of the Route 238 Bypass Corridor, and to appropriate matching funds.

**BACKGROUND:**

As reported to the Council during its review of the budget this past spring, the City applied for and was awarded a \$250,000 grant from Caltrans to conduct a land use study of the Route 238 Bypass right-of-way parcels (Exhibit A). The overall cost of the study is projected to be \$300,000, with \$250,000 representing the State grant, and \$50,000 from the City satisfying the 20% matching requirement.

The study would entail an analysis to determine the best land use for the study area properties, recognizing both development and open space opportunities in consideration of such things as market trends, traffic and circulation impacts and physical land constraints, such as those associated with geologic issues. The study will likely result in amendments to the General Plan Land Use and Zoning designations for some of the study area properties, with such actions being subject to environmental review per the California Environmental Quality Act. The grant funds are not allowed to be used for preparation of environmental documents. Also, the study process is envisioned to emphasize community outreach and include at least four community meetings with the public and various stakeholders. A work session is tentatively scheduled for November 14 to allow staff to review and discuss the study details and scope with the Council.


Under the State's regulation, formal action is required of the Council to accept the grant. Adoption of the attached resolutions will satisfy this requirement.

Prepared by:

A handwritten signature in black ink, appearing to read "David Rizk".

David Rizk, AICP  
Planning Manager

Recommended by:

  
Susan J. Daluddung  
Director of Community and Economic Development

Approved by:

  
Jesús Armas, City Manager

Attachments:

Exhibit A. Study Area Map  
Draft Resolutions (4)

10/12/06

**DUE TO THE LENGTH OR COLOR  
OF THE REFERENCED EXHIBIT,  
IT HAS BEEN ATTACHED AS A  
SEPARATE LINK.**

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

*me*  
*10/12/06*

**RESOLUTION AUTHORIZING THE CITY MANAGER  
TO APPLY FOR AND ACCEPT GRANT AND EXECUTE  
A FUND TRANSFER AGREEMENT WITH THE STATE  
OF CALIFORNIA FOR THE STATE ROUTE 238  
BYPASS CORRIDOR LAND USE STUDY**

WHEREAS, the City of Hayward has submitted a request for a grant in the amount of \$250,000 from the California Department of Transportation ("CalTrans"), which request has received preliminary approval, to conduct a land use study for the State Route 238 Bypass Corridor (the "State Route 238 Bypass Corridor Land Use Study"), under the Community Based Transportation Planning Grant Program FY 2006/07; and

WHEREAS, receipt of the grant requires the commitment of \$50,000 in local matching funds, and the City and the Redevelopment Agency of the City of Hayward seek to combine their resources in order to conduct the State Route 238 Bypass Corridor Land Use Study by appropriating \$25,000 each for said study; and

WHEREAS, planning and feasibility studies are statutorily exempt from environmental review under CEQA.

BE IT RESOLVED by the City Council of the City of Hayward, that the City Manager or his designee is hereby authorized to submit an application for and accept the award of a grant in the amount of \$250,000 under the Community Based Transportation Planning Grant Program FY 2006/07, administered by the California Department of Transportation, for the State Route 238 Bypass Corridor Land Use Study.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward, that the City Manager or his designee is hereby authorized and directed to negotiate and execute on behalf of the City of Hayward all documents, including a Fund Transfer Agreement and any contracts, subcontracts, agreements, extensions or renewals and/or amendments, which may be required by CalTrans as reasonably necessary to implement and administer all obligations, responsibilities and duties under the Community Based Transportation Planning Grant Program FY 2006/07.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2006

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

City Attorney of the City of Hayward

# DRAFT

## REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA-\_\_\_\_\_

Introduced by Agency Member \_\_\_\_\_

*mae*  
*10/12/06*

### RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FUND TRANSFER AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE STATE ROUTE 238 BYPASS CORRIDOR LAND USE STUDY

WHEREAS, the City of Hayward has submitted a request for a grant in the amount of \$250,000 from the California Department of Transportation ("CalTrans"), which request has received preliminary approval, to conduct a land use study for the State Route 238 Bypass Corridor (the "State Route 238 Bypass Corridor Land Use Study"), under the Community Based Transportation Planning Grant Program FY 2006/07; and

WHEREAS, receipt of the grant requires the commitment of \$50,000 in local matching funds, and the City and the Redevelopment Agency of the City of Hayward seek to combine their resources in order to conduct the State Route 238 Bypass Corridor Land Use Study by appropriating \$25,000 each for said study; and

WHEREAS, planning and feasibility studies are statutorily exempt from environmental review under CEQA.

BE IT RESOLVED by the Redevelopment Agency of the City of Hayward, that the Executive Director or his designee is hereby authorized and directed to negotiate and execute on behalf of the Redevelopment Agency all documents, including a Fund Transfer Agreement and any contracts, subcontracts, agreements, extensions or renewals and/or amendments, which may be required by CalTrans as reasonably necessary to implement and administer all obligations, responsibilities and duties under the Community Based Transportation Planning Grant Program FY 2006/07.

HAYWARD, CALIFORNIA \_\_\_\_\_, 2006

ADOPTED BY THE FOLLOWING VOTE:

AYES: AGENCY MEMBERS:

CHAIR:

NOES: AGENCY MEMBERS:

ABSTAIN: AGENCY MEMBERS:

ABSENT: AGENCY MEMBERS:

ATTEST: \_\_\_\_\_  
Secretary of the Redevelopment Agency  
of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel

**DRAFT**

## REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA 06-

Introduced by Agency Member\_\_\_\_\_

10/12/04

**RESOLUTION AMENDING RESOLUTION RA-06-15, AS  
AMENDED, THE REDEVELOPMENT BUDGET  
RESOLUTION FOR FISCAL YEAR 2006-07, RELATING TO  
AN APPROPRIATION OF FUNDS FROM THE  
REDEVELOPMENT TAX INCREMENT FUND, FUND 451  
FOR A LAND USE STUDY OF THE ROUTE 238 BYPASS  
CORRIDOR PROPERTIES**

BE IT RESOLVED by the City Council of the City of Hayward that Resolution No. RA 06-15, as amended, the Budget Resolution for Fiscal Year 2006-07, is hereby amended by approving an appropriation of \$25,000 from the Redevelopment Tax Increment Fund, Fund 451 to serve as half of a 20 percent matching fund for a \$250,000 grant from the State to conduct a land use study of the Route 238 Bypass Corridor properties.

HAYWARD, CALIFORNIA \_\_\_\_\_, 2006

**ADOPTED BY THE FOLLOWING VOTE:**

**AYES: AGENCY MEMBERS:**

**CHAIR:**

**NOES: AGENCY MEMBERS:**

**ABSTAIN: AGENCY MEMBERS:**

ABSENT: AGENCY MEMBERS:

ATTEST: \_\_\_\_\_

Secretary of the Redevelopment Agency  
of the City of Hayward

APPROVED AS TO FORM:

## General Counsel